

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IN RE HANFORD NUCLEAR
RESERVATION LITIGATION,

No. 2:91-CV-3015-WFN
ORDER CORRECTING DOCKET

Plaintiffs filed a Motion to Dismiss and Remove Certain Plaintiffs from Court Docket asking that the Court dismiss resolved cases and remove all dismissed Plaintiffs and their personal representatives from the docket. ECF No. 3498. While the Court will not remove names from the docket, Plaintiffs' Motion does highlight some corrections that need to be made. Several of the Plaintiffs listed in the Motion were properly terminated on the docket. The Court will address only those with errors or discrepancies below. The Court has reviewed the file and Motion and is fully informed. Accordingly,

IT IS ORDERED that:

1. Plaintiffs' to Dismiss and Remove Certain Plaintiffs from Court Docket, filed October 16, 2014, ECF No. 3498, is **GRANTED IN PART and DENIED IN PART**.

2. **STANLEY BEN GALLAWAY**: In the Parties' Agreed Motion to Dismiss With Prejudice All Claims of Certain Plaintiffs, ECF No. 3429, the parties requested that the claims of ***Jacqueline Gallaway*** be dismissed with prejudice and the Court granted the Motion in the Order at ECF No. 3431. However, the First Amended Appendix to Amended Joint Consolidated Complaint, ECF No. 1360, lists, "Gallaway, Jacqueline for Stanley Ben Gallaway" but does not list Jacqueline Gallaway as a party. The docket shall be **AMENDED** to reflect that Jacqueline Gallaway was not a party, but that she was a personal representative for Stanley Ben Gallaway. Court orders and Motions that

1 erroneously refer to Jacqueline Gallaway as a party shall be construed to reflect that
 2 Stanley Ben Gallaway is a party with the personal representative being Jacqueline
 3 Gallaway.

4 3. **DELORIS MILLER OAKES**: From the docket it appears that there are two
 5 different Plaintiffs, Deloris Miller and Deloris Oakes. Upon review of the First Amended
 6 Appendix to Amended Join Consolidated Complaint, ECF No. 1360, this discrepancy is
 7 based on a data entry error. The name is listed as Deloris (Miller) Oakes in the First
 8 Amended Appendix. There is no Deloris Miller. Deloris Miller shall be **STRICKEN**
 9 from the docket as there is no such person. An a/k/a shall be added for Deloris Oakes as
 10 Deloris Miller Oakes. Deloris Oakes was terminated on June 4, 2013.

11 4. **SHANNON C. RHODES**: An Amended Judgment against Ms. Rhodes was
 12 entered on March 7, 2006. The Ninth Circuit affirmed the Court's entry of a defense
 13 verdict in *In Re HANFORD NUCLEAR RESERVATION LITIGATION*, 534 F.3d 986
 14 (9th Cir. 2008). The Docket shall be **AMENDED** to reflect this judgment and show that
 15 Ms. Rhodes is a terminated party.

16 5. **JAMES L. RIGGS**: Mr. Riggs appears to have been added as a Plaintiff in
 17 error. The First Amended Appendix reads, "Riggs, James L. for Gladys K. Riggs" which
 18 implies he was not a party, but a personal representative. Gladys Riggs was terminated on
 19 October 11, 2012 by Order, ECF No. 3120. However, the docket appears to list Mr. Riggs
 20 as a party. The docket shall be **AMENDED** to reflect that Mr. Riggs was not a party, but
 21 that he was a personal representative for Gladys Riggs.

22 6. **HILDA J. ROBERTS**: Similarly, the First Amended Appendix reads, "Roberts,
 23 Hilda J. for Judith Roberts Becker" but Hilda Roberts appears to have been entered as a
 24 party in error rather than solely as a personal representative. The docket shall be
 25 **AMENDED** to reflect that Hilda J. Roberts was not a party, but that she was a personal
 26 representative for Judith Roberts Becker.

27 7. **MARY SCHULTZ**: Again, the First Amended Appendix reads, "Kautz,
 28 Laverne for Mary Schultz" but Laverne Kautz appears to have been entered as a party as

1 well as Mary Schultz. Plaintiffs' counsel points to ECF No. 3364 as the Order that
 2 dismisses Mary Schultz. However, the Order references Mary Lou Schut a/k/a Mary
 3 Schutz. In the current Motion, Plaintiffs also note her name should be corrected to
 4 "Schutz." Court staff called counsel to confirm that Mary Schultz is the same person as
 5 Mary Lou Schut a/k/a Mary Schutz. She is. The docket shall be **AMENDED** to include
 6 an a/k/a for Mary Lou Schut as Mary Schultz and the separate entry for Mary Schultz
 7 should be deleted. Additionally, Laverne Kautz should be deleted as a party, but should
 8 remain listed as the personal representative for the terminated Plaintiff Mary Lou Schut.

9 8. **DONNA K. SHOCKEY**: Ms. Shockey's name was entered incorrectly in the
 10 docket. The docket shall be **AMENDED** to read, Donna K. Shockey a/k/a Donna K.
 11 Shockey. The docket shall be **UPDATED** to include that Ms. Shockey was terminated
 12 by Court Order, ECF No. 2334, on August 13, 2009.

13 9. **STEVEN H. STANTON**: The Court entered a Judgment in favor of Mr.
 14 Stanton on May 19, 2005, ECF No. 1958. The docket shall be **UPDATED** to reflect this
 15 disposition and show Mr. Stanton as a terminated party.

16 The District Court Executive is directed to file this Order and provide copies to
 17 counsel.

18 **DATED** this 17th day of December, 2014.

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s/ Wm. Fremming Nielsen
 WM. FREMMING NIELSEN
 SENIOR UNITED STATES DISTRICT JUDGE